

Remarks/Arguments

Claims 1-11 and 13-14 remain in this application. Claims 12 and 15 have been cancelled.

Applicant's invention, as recited by present claims 1-11 and 13-15, provides a multi-media geography game show comprising, *inter alia*, (i) credit issuing means for issuing learning credits to contestants, live show audience participants and remote TV viewers, respectively, wherein said learning credits qualify a contestant, live show audience or remote TV viewer to sit for an additional examination, to obtain college credits; and (ii) wherein the participation of each: contestant, live show audience participant and remote TV viewer connected to Internet, collectively, is in real time.

Applicant's invention further provides a multi-media geography game show that allows real time participation of contestants, live show audience participants and remote TV viewers having Internet connections. Answers to questions related to geography provided within an allotted time period qualify participants for monetary or material rewards, together with learning credits. The learning credits may be converted to college credits by taking appropriate validation tests from accredited educational institutions that have made arrangements with the geography game show. The responses of contestants, live show audience participants and remote TV viewers, as well as the rewards and the learning credits, are electronically processed and appropriate credits are issued using print outs or magnetic media.

Claim Rejections – 35 USC §103

Claims 1-11 and 13-14 were rejected under 35 USC 103(a) as being unpatentable over Pearson et al. (US Pub. #2002/0162117) in view of Lotvin et al. (US Pub. #2002/0165777) and further in view of Neal, III (US Pub. #2001/0036865).

Pearson et al. (hereinafter Pearson) discloses a system and method for synchronizing interactive content with particular scenes in a television program for use with an interactive television system. An HTML page displays both the television program and interactive functionality which allows the presentation to the user of specific information, such as facts and observations, which is synchronized to and interrelated with particular content within the television program. The system and method enables the user to enter responses to program-related questions and can be utilized for implementing a rewards-based user-interactive viewing experience. The system and method also enables an advertiser to synchronize advertisements to particular scenes within a television program, thus allowing the advertiser to tie products to the program the user is viewing.

Lotvin et al. (hereinafter Lotvin) discloses a computer apparatus and methods that uses computer technology in a unique way to motivate children to devote more time to educational and cultural enrichment. In the preferred embodiment, educational material is provided at a child's local computer under control of a central computer system connected to it over a computer network. On completing a particular educational task, the child is rewarded with a certain number of points. Points that the child accumulates are stored centrally, and at least some of the points can be redeemed towards the purchase of goods and services offered through the system of the preferred embodiment by its commercial participants. The purchasing transactions are also administered by the central computer. Parents, preferably, use the system to

support their children's purchasing activity financially and to select content available for presentation to the child. In other embodiments, the disclosed apparatus and methods can be used for purposes unrelated to education of children, and distribution of functionality between the central and local computers may be different, including wholly local implementations.

Neal, III (hereinafter Neal) discloses an interactive game system for individual participants at remote locations to compete with one another over a distributed electronic network in response to a game show host administering a program broadcast via mass media. Participants are authenticated in order to participate in the game. A computational center evaluates the correctness and speed of responses made by participants, administers a scheme for rating the performance of each participant in real time, and reports back the results of this performance evaluation. In the preferred embodiment, the game is divided into a discrete plurality of rounds. Successful participants in each round advance to subsequent rounds until a champion is determined. The game then begins anew.

Applicant respectfully traverses the Examiner's arguments. MPEP §2143.03 states that in order to establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). It is submitted that Pearson in view of Lotvin and further in view of Neal does not render claims 1-11 and 13-14 obvious because the proposed combination does not teach or suggest all of the claim limitations of these claims, as amended.

Regarding claim 1, the Examiner states that Pearson teaches a multi-media geography game show providing educational credit allowing real time participation of

contestants, live show audience participants and remote TV viewers connected to the Internet (pg. 2, parg. 0014).

Applicant respectfully submits that the primary reference of Pearson does not disclose a multi-media game show allowing real time participation of contestants, live show audience participants and remote TV viewers connected to the Internet, wherein the participation of each: contestant, live show audience participant and remote TV viewer connected to Internet, collectively, is in real time. Namely, the Examiner has cited page 2, paragraph 14 of Pearson as disclosing a multi-media game show. However, page 2, paragraph 14 of Pearson is in the “Background of Invention” section and merely discusses one example involving the use of interactive television in the context of a prior art game show (Jeopardy). This particular prior art example does not disclose the participation of each of the contestant, live show audience participant and remote TV viewer connected to the Internet in real time. Significantly, page 2, paragraph 16 together with the remainder of the Pearson disclosure teaches the use of interactive functionality in television programs other than game shows – such as comedies, soap-operas, or adventure shows.

Further, Pearson discloses an enhanced broadcast program that provides to a user an option to view the program interactively such that interactive content, such as specific facts and information (such as trivia facts) about people, places, products, or other things, that are synchronized to and interrelated with content within the program currently displayed to the user on-screen, is presented to the user. See Pearson at page 2, paragraph 18. The questions may be related to content currently on screen or to other subjects, including, but not limited to, facts about the production of the program currently being shown, character insights, details about the cast and crew, and little known facts related to the program. See Pearson at page 3, paragraph 37.

Therefore, the invention disclosed by Pearson is intended for programs that unlike game shows have a storyline, cast, and crew. These types of programs include comedies, soap-operas, or adventure shows; and these programs include a script and actors. Once an episode of a soap-opera is produced and ready to be aired on television, the producers know exactly what will happen and when it will happen in the episode – namely because the episode of the program on television is not being aired live. (Some sitcoms and other programs include a live studio audience at the time of recording, but the remote TV viewers watching at home are not watching a live feed of the episode. The remote TV viewers watching at home are watching an episode that, at the earliest, was recorded several hours prior to being aired on television.) Importantly, interactive trivia questions related to the program can not be written until a final edited version of the episode is produced and ready to be aired.

The system disclosed by Pearson does not relate to a game show, but instead to other types of broadcast programs. See especially Pearson at page 6, paragraph 0070: “The user may also be asked about events in past episodes of a program that are related to what is currently being shown or to predict what may happen next based on what is occurring presently. For example, the user might be queried: "Do you think she will shoot him?" The user may be provided with a sufficient time to answer before the event occurs”. This teaching clearly shows that Pearson discloses a system for use with non-game show programs – such as programs that follow a story line or plot, such as movies, sitcoms, and the like. Therefore, it is respectfully submitted that Pearson does not disclose a system that includes a multimedia live interactive geography game show, as required by present claim 1.

MPEP 2143.01(VI) states that the proposed modification cannot change the principle of operation of a reference. The Examiner has stated the following. Lotvin and Pearson do not explicitly teach a real time game show. Neal teaches an interactive game system where local and remote participants play in real time (pg. 3, 0031, abstract). It would have been obvious to one of ordinary skill in the art to combine the teaching of Pearson and Lotvin with the real time participation of Neal, thereby giving a user a feeling of being connected with the show and allowing them to actively participate in the game program.

Pearson cannot be modified to be a real time game show because it would change the principle of operation of the reference. Regarding modifying Pearson to be a game show, Pearson clearly discloses “the provision of interactive functionality in television programs other than game shows” (emphasis added). See Pearson at page 2, paragraph 16. Regarding modifying Pearson to be in real time (so that the TV audience is watching the episode in real time), this would change the principle of operation of the reference. The trivia questions could not be properly synchronized to the show and could not easily be generated simultaneously by the question writers if the episode was taped and aired live to the remote TV audience because the trivia question writers would not know what was going to happen next, what camera angle would be turned on at what time, or what promotional items would be shown at what time. Even assuming that the trivia question writers were provided with a script of the soap-opera, etc. this script would not enable them to insert the trivia questions to be viewed by the remote participants at the appropriate time. (For example, the trivia questions related to promotional item would need to be displayed to the remote TV audience at the precise time that the promotional item is viewable on screen by the TV audience). Further, a game show by definition does not follow a predetermined

script, thereby making the trivia question writer's job virtually impossible if the game show was taped and aired live. Further, a game show does not include famous actors and a storyline, with which to write trivia questions about, as is the intended principle of operation of the Pearson reference. In summary, Pearson discloses interactive functionality in television programs other than game shows which are not aired to the remote TV audience in real time. If Pearson was modified so that the program was a game show that was aired to the remote TV audience in real time, it would dramatically change the principle of operation of the reference, as stated hereinabove. It would further render the Pearson reference unsatisfactory for its intended purpose. See MPEP 2143.01(V). Therefore, the teachings of Pearson in view of Lotvin and Neal are not sufficient to render present claim 1 *prima facie* obvious.

Further regarding present claim 1, the Examiner has stated that Lotvin teaches issuing learning credits (pg. 1, parg. 0005) and issuing college credits (pg. 2, 0013). However, present claim 1 does not require issuing college credits, *per se*, but rather issuing learning credits, wherein the learning credits qualify a contestant, live show audience or remote TV viewer to sit for an additional examination, to obtain college credits. That is, successful participants in the multi-media geography game show are not automatically awarded college credits, but instead simply qualify to sit for an additional examination that will possibly enable them to earn college credits. It is unlikely that a college would award credits to game show participants outright. However, successful achievement in the participation in the game show would allow a college to pre-screen a test taker.

Therefore, participants who score well in the game show are given the opportunity to qualify to sit for an additional examination, to obtain college credits.

The result is that participants are pre-screened and pre-tested to ensure a minimum knowledge of the subject matter before they are qualified to sit for an additional examination to obtain college credits. This system, as required by present claim 1, rewards those participants who perform well in the geography game show and ensures minimum standards for the opportunity to sit for an additional examination, to obtain college credits. Nowhere, in Lotvin is there any disclosure or suggestion of issuing learning credits, wherein the learning credits qualifies a contestant, live show audience or remote TV viewer to sit for an additional examination, to obtain college credits. Therefore, the teachings of Pearson in view of Lotvin and Neal are not sufficient to render present claim 1 *prima facie* obvious.

Further regarding present claim 1, the Examiner has stated that: (i) Neal teaches an interactive game system where local and remote participants play in real time (pg. 3, 0031, abstract); and (ii) it would have been obvious to one of ordinary skill in the art to combine the teaching of Pearson and Lotvin with the real time participation of Neal, thereby giving a user a feeling of being connected with the show and allowing the user to actively participate in the game program. Applicant respectfully traverses this argument. Present claim 1 requires that the participation of each: contestant, live show audience participant and remote TV viewer connected to Internet, collectively, is in real time. Neal teaches an interactive game system for a large number of individual participants at remote locations to compete with one another over a distributed electronic network such as the Internet in response to a game show host administering a program that is broadcast via mass media. See Neal at page 3, paragraph 0044. Nowhere does Neal disclose or suggest a game system with local participants who play in real time along with remote participants. Namely,

Neal does not disclose or suggest a studio with live contestants and live show audience participants. Neal only discloses remote participants. Therefore, the teachings of Pearson in view of Lotvin and Neal are not sufficient to render present claim 1 *prima facie* obvious.

Present claim 1 calls for: a multimedia geography game show wherein the participation of each: contestant, live show audience participant and remote TV viewer connected to Internet, collectively, is in real time. Namely, each TV viewer connected to Internet is watching and participating in the live game show in real time. This allows for a more exciting at home viewing experience and ensures that the TV viewers connected to Internet have not previously watched a “re-run” game show episode, which would give that TV viewer connected to the Internet an unfair advantage when answering the geography questions. Further, the inclusion of remote and local participants, including studio audience participants, adds to the level of excitement of the game show. The educational value of the participation is further rewarded by allowing successful participants to earn learning credits, wherein the learning credits qualifies a contestant, live show audience or remote TV viewer to sit for an additional examination, to obtain college credits.

Applicant respectfully submits that Pearson in view of Lotvin and further in view of Neal do not disclose or suggest every limitation of claim 1, as amended. Accordingly, it is submitted that present claim 1 patentably defines over Pearson in view of Lotvin and further in view of Neal.

Regarding the rejection of claims 2-11 and 13-14, these claims depend from independent claim 1, as amended, which applicant believes is patentable for the reasons listed above. Therefore, it is submitted that claims 2-11 and 13-14 are patentable over the cited references.

Accordingly, reconsideration of the rejection of claims 1-11 and 13-14 under 35 USC 103(a) as being unpatentable over the combination of Pearson and Lotvin and further in view of Neal is respectfully requested.

Conclusion

In view of the previous amendments to the claims and the remarks set forth above, it is respectfully submitted that the present application is in allowable condition. Entry of the present Amendment, reconsideration of the rejection of claims 1-11 and 13-14, as amended, and their allowance are earnestly solicited.

Respectfully submitted,
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